

City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, June 14, 2006

7:30 PM

Council Chambers, 8th Floor, City Hall

City Council

*Randall A. Gilliland, Angela Lee Leary, Charles N. Sapp,
Joseph H. Spencer, II, Turner M. Spencer, Rhet Tignor,
Ross A. Kearney, II, Mayor*

Staff:

Jesse T. Wallace Jr., City Manager

Cynthia Hudson, City Attorney

Katherine K. Glass, Clerk of Council

Brenda J. Vaccarelli, Deputy Clerk

WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Audiences Granted to the General Public
- (6) Miscellaneous New Business
- (7) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a five (5) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Joseph H. Spencer, II

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items - Second Reading

1. **06-0215** Ordinance to Amend and Re-Enact Chapter 21, Division 2, Residential Parking Permit Program, Section 21-161. Definition.
2. **06-0308** An Ordinance to Amend the Code of the City of Hampton, Chapter 37, Article II, Division 6 Entitled, "EXEMPTION OR DEFERRAL FOR ELDERLY AND DISABLED PERSONS" by Amending and Re-enacting Section 37-116, Section 37-118, Section 37-121, Section 37-122, Section 37-123, Section 37-125, Section 37-126, and Section 37-128.
3. **06-0317** Ordinance to amend and re-enact Chapter 21, Article II and to repeal Section 21-47.
4. **06-0320** An Ordinance of the City of Hampton, Virginia to Set the Extra Refuse or Excess Bulk Collection and Disposal Fee at \$250.00 per Truckload.

Consent Items - First Reading

5. **06-0366** An Ordinance to Amend and Re-Enact Chapter 2, "ADMINISTRATION", ARTICLE II, "CITY COUNCIL", DIVISION 2, "MEETINGS", SECTION 2-43(6) of the Code of the City of Hampton, Virginia, Entitled, "ORDER OF BUSINESS – REGULAR MEETINGS", to Add Language Regarding the Manner and Time for Presentations by the General Public

Consent Items - Other

6. **06-0327** Request for refund of erroneous tax assessments for 2006.
7. **06-0346** Litter Prevention grant appropriations from Solid Waste Fund, General Fund, Parks and Recreation Department, and the Virginia Department of Environmental Quality.
8. **06-0347** Grant from the Library of Virginia to offer an early literacy program for parents of preschoolers during the Smart Beginnings Blitz.

9. **06-0349** Hampton-Newport News Community Corrections Act and Pretrial Services Act Grant.
10. **06-0350** United States Golf Association Matching Grant
11. **06-0351** Virginia State Golf Tee Level Clinic Matching Grant
12. **06-0378** Extension of the Early Intervention for Infants and Toddlers with Disabilities and their Families Contract Part C
13. **06-0362** Electrical Design for Nighttime Illumination of the Fort Wool Flagpole
14. **06-0364** Resolution Authorizing the Execution and Delivery of Amendment No. 1 to Acquisition Fund and Account Control Agreement
15. **06-0370** Resolution Approving the Location and Major Design Features of the Big Bethel Road / Roberta Drive Intersection Improvements Project and the Big Bethel Road / Joynes Road Intersection Improvements Project. Engineering Services Project Numbers 04-001 and 05-007.
16. **06-0352** Establish Estimated Revenues and Appropriations for the River Street Park
17. **06-0360** Resolution authorizing the appropriation of \$13,000 from the Economic Development Fund to the Industrial Development Authority to extend sanitary sewer and water lines within Hampton Roads Center North Campus along North Campus Parkway.
18. **06-0371** Approval of Minutes from the Afternoon and Evening Council Meetings of May 24, 2006.

PRESENTATIONS, PROCLAMATIONS, AWARDS

19. **06-0232** Proclaiming June 21, 2006 as "Go Skateboarding Day" in the City of Hampton.
20. **06-0283** Hampton Unites Day
21. **06-0329** Parks and Recreation Month Proclamation
22. **06-0355** In Recognition of Analytical Services & Materials, Inc., Named as the U. S. Small Business Administration's 2006 Prime Contractor of the Year.
23. **06-0354** In Recognition of Volunteer Service in the City of Hampton

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

24. **06-0368** Public Discussion of the Removal of 'No Parking' Signs from North First Street.

PUBLIC HEARINGS**Rezoning - First Readings**

25. **06-0338** Zoning Ordinance Text Amendment to Chapter 18, Section 18-5 ("Land Not Zoned") to include federal- and state-owned land in the reference to land within the city that is currently not zoned.
26. **06-0356** Rezoning Application No.1226 by Rahimi LLC. to rezone 1.31+/- acres at 804 & 806 Aberdeen Road and 1602 Briarfield Road from Neighborhood Commercial District (C-1) and One Family Residence District (R-11) to General Commercial District (C-3) for used car sales.
27. **06-0330** Rezoning Application No.1227 by Robert L. Mallory to rezone 19.71+/- acres on the southern side of Semple Farm Road (LRSN# 5001246) from One Family Residence District (R-13) to One Family Residence District (R-11) with conditions for the construction of up to 23 single-family homes.

Use Permit

28. **06-0337** Use Permit Application No. 1007 by Constance McBryde Breland-Cumbo to allow the operation of a Juvenile Residence-2 for up to five (5) juveniles at 118 Burns Street (LRSN# 1007513).

Comprehensive Plan Amendment

29. **06-0357** Amendment to the 2004 Downtown Hampton Master Plan to add an eighth initiative area, the Armory District.

Ordinances - First Readings

30. **06-0336** An Ordinance of the City of Hampton, Virginia, to set the Tax Rate on Tangible Personal Property, Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Machinery and Tools, Privately Owned Pleasure Boats and Watercraft Used for Recreational Purposes Only, and Privately Owned Camping Trailers and Motor Homes as Defined in Section 46.2-100 of the Code of Virginia, in the City of Hampton, Virginia for the calendar year beginning January 1, 2007, and Ending December 31, 2007.

GENERAL ITEMS**Resolutions**

31. **06-0380** Resolution authorizing the appropriation of funds from the General Fund undesignated fund balance to Non-departmental for Explore Hampton 2007.

Appointments

32. **06-0223** consider appointments to the Virginia Air & Space Center Board of Directors
33. **06-0328** consider appointments to the Clean City Commission.
34. **06-0341** consider appointment of Council member to Planning Commission.
35. **06-0342** consider appointment to the Peninsula Stadium Authority.
36. **06-0343** consider appointment to the Building Code Board of Appeals.
37. **06-0372** consider appointment to the Virginia Peninsula Disability Services Board.
38. **06-0373** consider appointments to the Grievance Board.
39. **06-0374** consider appointments to the Office of Human Affairs.
40. **06-0313** consider appointments to the Purchasing and Procurement Oversight Committee (PPOC).

Other Items

41. **06-0359** Buckroe Master Plan – Public Improvements Phase II
42. **06-0363** A Resolution Authorizing the Execution of An Agreement of Sale For the Purchase of Property known as Otley Road, consisting of 1.24 acres +/-, RPC No. 2002247, from Old Point Trust & Financial Services, NA, Executor of the Estate of Jarnice W. Chapman, deceased and Co-Trustee of the Jarnice W. Chapman Irrevocable Trust dated September 1, 2000 and Talmage D. Wade, Co-Trustee of the Jarnice W. Chapman Irrevocable Trust dated September 1, 2000.

AUDIENCES GRANTED TO THE GENERAL PUBLIC

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov